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January 14, 2014

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**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Ameren Transmission Company of Illinois	:	
	:	
	:	
Petition for a Certificate of Public Convenience and Necessity, pursuant to Section 8-406.1 of the Illinois Public Utilities Act, to Construct, Operate and Maintain an New High Voltage Electric Service Line and Related Facilities in the Counties of Adams, Brown, Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton, Macon, Montgomery, Morgan, Moultrie, Pike, Sangamon, Schuyler, Scott and Shelby, Illinois.	:	Docket No. 12-0598 (on Rehearing)

**BRIEF ON EXCEPTIONS OF THE STAFF
OF THE ILLINOIS COMMERCE COMMISSION**

The Staff of the Illinois Commerce Commission (“Staff”), by and through its counsel, and pursuant to Section 200.830 of the Commission’s Rules of Practice, (83 Ill. Adm. Code 200.830), respectfully submits its Brief on Exceptions to the First Proposed Order on Rehearing (“PO or Proposed Order”) issued by the Administrative Law Judge (“ALJ”) on December 31, 2013 in the above-captioned matter.

I. INTRODUCTION

This matter came before the Commission on rehearing from its August 20, 2013 Final Order in the proceeding. On September 18, 2013 the Commission granted Andrew

and Stacy Robinette's (Robinette's) Application for Rehearing and concerns the Robinette's alternative route that would modify a portion of ATXI's Alternate Route between Meredosia and Pawnee. Thereafter various parties submitted testimony, including the Robinette's, Ameren Transmission Company of Illinois (ATXI), and Staff of the Illinois Commerce Commission. An evidentiary hearing was held on December 9, 2013. No Initial Briefs or Reply Briefs were filed.

II. EXCEPTION

Staff continues to support the MSSCLPG Route between Meredosia and Pawnee, adoption of which would render disagreements about the Robinettes proposed modification to ATXI's Alternate Route irrelevant. Staff disagrees with the PO's conclusion that the Robinettes' modification should not be adopted, but Staff believes the PO correctly characterizes the facts presented - with one exception. The PO incorrectly identifies the location of the Robinettes' residence.

Specifically, the PO states, in the 1st sentence in the 2nd full paragraph on page 6, that the Robinette residence is on the east side of DeLong Road. The Robinette residence at 295 DeLong Road is actually on the west side of DeLong Road (Robinette Ex. A at 1) and is one of the residences not shown on the image included in the PO that was copied from ATXI witness Murphy's testimony. (PO at 6-7 (including footnote #3); ATXI Ex. 2.0 (RRH) at 3.) Similarly, the 6th sentence in the same paragraph incorrectly describes the Robinettes' suggested modification as running behind their home, rather than across DeLong Rd. from their home. The Robinettes' suggested modification would actually place the transmission line behind the residence located at 248 DeLong Road,

which is on the east side of DeLong Road., south of Pitchford Road.¹ (Staff Ex. 2.0 (RRH) at 4.)

Therefore, Staff provides replacement language to correct and/or clarify the location of the Robinettes' residence. Staff recommends the following modifications to the 2nd paragraph on page 6 of the PO:

The Robinette residence is along the westeast side of DeLong Road between Pitchford Road to the north and Nortonville Road to the south. The distance between Pitchford Road and Nortonville Road is approximately .75 mile. An electric line currently runs along the west side of DeLong Road in this area. The ATXI Alternate Route adopted in the August 20, 2013 Order runs along DeLong Road until it reaches Nortonville Road, at which point it turns east and runs along Nortonville Road. Which side of DeLong and Nortonville Roads ATXI will construct the new transmission line is not clear from the record. To lessen the impact of the 345 kV electric line on their property, the Robinettes suggest angling the transmission line so that it runs behind ~~their home and to the east of their property~~ residence located at 248 DeLong Rd. Specifically, as the route runs south along DeLong Road and comes to Pitchford Road, they recommend creating an approximately 45 degree angle in the route at the intersection of the two roads. At this point, the route would follow a path to the southeast until it reaches Nortonville Road, where it would then resume following ATXI's proposed Alternate Route along Nortonville Road. Landowners affected by the Robinettes' proposal have been notified of the potential impact on their property. The image below depicts the adopted ATXI Alternate Route as a solid orange line and the Robinettes' modification as a yellow and black dashed line.

III. CONCLUSION

WHEREFORE, for the reasons set forth in this BOE, Staff respectfully requests that the Commission's Order in this proceeding reflect all of Staff's recommendations regarding modifications to the PO.

¹ On Attachment 1 to Robinette Rebuttal Ex. B, the location of the Robinette residence at 295 DeLong Road is depicted by the southern purple dot west of DeLong Road. The residence at 248 DeLong Road is depicted by the red dot on the east side of DeLong Road.

Respectfully submitted,

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